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ABSTRACT

Although strikes by public employees are illegal in Michigan, the rate of strike in Michigan public schools has been double that in the private sector. Teachers have been using the legal impasse procedures of mediation and fact-finding as a form of political power and pressure to bleed the school districts. Reasons for this include the labor-oriented public act; courts which do not enforce the no-strike clause of the act; and the lack of money, coordination, and organization on the part of school management. School management in the Metropolitan Detroit area has now organized for collective negotiations at the local, intermediate, and regional level. The Bureau of School Studies is a consortium of public school districts, intermediate districts, and universities which is devoted to research and services in the areas of school management. The Office of Collective Negotiations was established as an integral part of the Bureau in April 1970, and the program has developed in two phases, the first consisting primarily of an on-going progress report of collective negotiations with teacher units. Phase two included workshops for management negotiators, reports on legal aspects of negotiations, master-management contract language, and progress reports on negotiations with non-certified units and administrative units. (MBM)

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TOPIC: A COOPERATIVE MANAGEMENT SYSTEM FOR NEGOTIATIONS INFORMATION AND COMMUNICATION

PLACE: Room 21, Convention Hall

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Perhaps negotiation is in many ways analogous to the game of poker. It is a game; there is the probability of chance; it is important to know when to bluff and when not to; it takes strategy and guts; but, most important of all, the cards that you hold make the difference in the final analysis.

What kind of cards have we been holding in Michigan for six years? From all outward appearences they have been second best. An outsider looking on might well think that school management in Michigan is engaged in a game wherein the opponent sets the stage, states the rules and always deals the cards.

What has been happening in this one-sided game? Strikes by public employees are illegal in Michigan. Yet, the rate of strike in Michigan Public Schools has been double that of the private sector. Out of 532 public school districts in Michigan we had: 12 strikes in 1966 for a 2.8 rate of strike, 36 strikes in 1967 for a 6.8 rate, 18 strikes in 1968 for a 3.6 rate, 40 strikes in 1969 for a 7.5 rate, and 26 strikes in 1970 for a 5.0 rate of strike. The five-year average rate of strikes by teacher units in the state of Michigan is 5% per year compared to a 2.5 percent rate of strike in the private sector. There was a time when rural areas could consider themselves immune from such illegal practices. However, the record now shows that this is no longer true. Today, no one is immune.

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Impasse procedures are supposed to be the exception to the rule, the last resort when all rational approaches to joint problem-solving have failed at the negotiating table. Teachers, on the other hand, have been using the legal impasse procedures of mediation and fact-finding as a form of political power and pressure to bleed the school districts. It is not uncommon for teacher units to threaten the board with mediation and fact-finding. Indeed, many ask for mediation very early in the game as a part of their power play. Past experience has shown that the school district rarely gains in fact-finding; whereas, the teachers invariably get more than the Boards final offer at the negotiating table. In some cases, it doesn't seem to matter what the districts financial capabilities are. A Fact-finder might well recommend a new operating millage to foot the bill or an increase that would force the school district into the illegal practice of deficit financing. The average rate of salary increases for teachers has been double that of the cost of living in the Metropolitan Detroit Area. Salaries go up, but the teachers work-day, work-year, work-load and the responsibility go down.

Why has this been such a one-sided game? After six years at the table, it certainly isn't due to the lack of expertise and sophistication on the part of school management negotiators. One answer is a labor-oriented public act and courts that do not enforce the no strike clause of that act. Another obvious answer is the lack of money, coordination, and organization on the part of school management to mobilize for negotiations.

The Michigan Education Association expenditures for negotiations in 1966 (the first year of negotiations in the public sector in the State of Michigan) were conservatively estimated to have been in excess of $500,000. That same year the total budget for the Michigan Association of School Boards was only $100,000. with only a fraction devoted to negotiations. We estimated the 1969 to 1970 MEA budget to be in excess of 3 1/2 million dollars, with approximately one million dollars going to negotiations in the form of data information services, liaison services, field personnel, advisors, and negotiators, and legal services. The Michigan Association of School Board's budget for 1969-70 was in the neighborhood of $300,000 with less than $50,000 devoted to negotiations, primarily in the form of legal fees. The same year 1969 to 1970 the Michigan Association of School Administrators had a budget of approximately $100,000, from which $10,000 went to negotiations. This past year the Michigan Education Associatio n has more than doubled its field staff through a dues increase to some 80 thousand members. The present MEA budget is estimated to be in excess of six million dollars with their appropriations for negotiations more than doubled. Conservatively, we estimate that the MEA expenditures over the past year for negotiations have been in excess of two million dollars throughout the state.

Myron Lieberman made the following statement relative to this problem back in 1967. "The teacher organizations are rapidly escalating the local, state, and national resources being devoted to negotiations. Unless there is a comparable effort by school management - also at the local, state, and national levels - the outcome will be disasterous for it. Indeed, an across the board effort by school management to organize for collective negotiations is absolutely essential at this time." And this was in 1967.

Gentlemen, school management in the Metropolitan Detroit Area has organized for collectve negotiations. We are organized at the local, the intermediate, and the regional level. The days of the solitary and lonely effort on the part of individual school districts against the collective guns of the associations are over.

We represent the Metropolitan Detroit Bureau of School Studies. The Bureau of School Studies is a non-profit organization devoted to research and services in the areas of school management. The Bureau is a consortium of public school districts, intermediate districts and universities. Today, over 70 public school districts hold membership, as well as three state universities (namely, Wayne State University, Eastern Michigan University and the University of Michigan). The geographical area served includes the counties of Wayne, Oakland, Macomb, St. Clair, Washtenaw and Monroe. Our executive board of directors is made up of superintendents of schools and College of Education Deans. In short, we are an organization supported by and governed by school management for the purpose of serving school management.

The idea of school management organizing for negotiations was not a new one in the State of Michigan. Unfortunately, there was a lot of talk and very little action, with the obvious result that we continue to be clobbered at the negotiating table.

The Metropolitan Detroit Bureau's Superintendents Committee for the Improvement of Professional Management and its Long-range Planning Committees had placed negotiations services on their priority lists back in 1969, but lacked grass-roots support to move ahead. The needed grass-roots support came from Oakland County, a County that had organized its negotiators and had them meeting on a regular on a regular basis since 1968. Early in 1970 the bureau was approached by a representative body of superintendents from Oakland County. The superintendents expressed their concerns and offered their suggestions relative to the establishment of an Office of Collective Negotiations to meet the needs of the public school districts. The Bureau then developed a proposal for the establishment of such an office to serve not just one county, but the six-conty Metropolitan Detroit Area. The Bureau moved quickly. The proposal was accepted by the Bureau's Executive Board in April of 1970 and the Metropolitan Detroit Bureau of School Studies Office of Collective Negotiations became a reality.

It was proposed that the Office of Collective Negotiations be established as an integral part of the Metropolitan Detroit Bureau of School Studies for the purpose of providing services to member school districts in the area of collective negotiations. It was further proposed that said service should be in addition to the general program to the Bureau and that those member schools desiring the services be assessed an additional $800,000.

It was felt by the Bureau of Superintendents that there was a need for improving the overall effectiveness of management negotiating teams, a need to generate reliable data not then available to management negotiators, a need for time-saving services in collecting and assimilating collective negotiations data, a need to establish a liaison and communications network for school management personnel involved in negotiations, and a need for an organization to coordinate various efforts regarding school management in the collective negotiations process.

In order to establish an immediate negotiation service, the program was introduced in phases. Phase I ran from April, 1970 to July 1, 1970 and consisted primarily of an on-going progress report of collective negotiations with teacher units. As it turned out Phase I developed into much more thanthis. Contract summaries, salary analysis reports, MEA contract language, and other related data found their way to all Metropolitan School districts through the Office of Collective Negotiations in Phase I. Phase I was primarily a trial period. Fortunately, the response from the districts was so positive that the Bureau's Executive Board committed itself to a full scale OCN operation in May of 1970.

Phase I started the first of July, 1970 and has included: workshops for management negotiators, reports on legal aspects of negotiations, master-management contract language, on-going progress reports of the negotiations with non-certified units, progress reports of negotiations with administrative units, and other pertinent information services concerning negotiations.

An arm of the OCN is the Council of Chief Negotiators. This is a representative body lf chief negotiators from each of the six-counties in the Metropolitan Detroit Area. The Council: establishes and maintains lines of communication between the county negotiator groups; coordinates the various efforts of six-county negotiators; aids in combining the talents and wxpertise; and advises the OCN as to the direction it takes on reports, research and workshops.

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We would like to take a few minutes to show you the kinds of information services we are providing our constituents.

Organizing for collective negotiations is something we all can and must do if we are sincerely concerned about the communities we represent. School management's only recourse is to meet, to communicate, to share information, to pool talents and to present a united front against the collective guns of unions and associations. Metropolitan Detroit school districts have taken the initiative. Why can't you?

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